

THE BAR SINISTER.

BY MATTHEW STRADLING.

"Crack the Lawyer's voice,
That he may never more false title plead,
Nor sound his quilllets shrilly."

Timon of Athens.

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ALMAVIVA.—“ Avec du caractère et de l'esprit, tu pourrais un jour t' avancer.”

FIGARO.—“ De l'esprit pour s'avancer ? Monseigneur se rit du mien. Mediocre et rampant, et l'on arrive a tout.”

LORD CASTLEREAGH writing to Mr. Wickham on 2nd January, 1799, concerning the then contemplated measure of the legislative Union between Great Britain and Ireland, rejoices at the adhesion of a portion of the Irish Bar, which he regards as a most hopeful circumstance in favour of the projected scheme. “ We have good materials amongst the young barristers, but we cannot expect them to waste their lives and starve into the bargain,” writes his lordship exultingly ; and from Castlereagh's time downward, the Irish executive has continued to profit by the supineness of the profession of the law, to make the best use of its “ good materials ” without exacting that young barristers shall either waste their precious lives, or starve while devoting themselves to the service and interests of the state. Starve, forsooth ! No time at the disposal of an enterprising lawyerling can be so well employed—so profitably invested—as when it is expended in his country's service ; that is, in the interest of a political party. No other enterprise will turn out so remunerative to him in the long run, or is paid for so generously on the same scale of munificence.

“ The Castle ” is a provident and indulgent patroness. With maternal solicitude she takes care that her favourite protégé shall neither incur the penalty of starvation, nor even the risk of being pinched by a wholesome pang of hunger, during the barren interval of his professional existence—during that probationary period through which he

has to pass to the full enjoyment of governmental favours. She watches him all through his career with the tender foresight of a guardian spirit, and answers for the ultimate salvation of his fortunes, if he but yields to her guidance and complies with the easy conditions which she imposes.

While prosecuting at one of the Fenian trials of the Munster Special Commission, the Irish Attorney-General said, with reference to his own position at the bar, "that he owed his eminence solely to industry, integrity, and principle." We are not sure that many of our modern lawyers would find these elements of success as easy of attainment and practice as Mr. Barry, on his own avowal, has done; but certainly the Castle is neither so unreasonable nor so cruel as to exact any such hard qualifications from those who accept her patronage or take shelter under her wing. She does not inexorably insist upon these high personal attributes of industry, integrity, and principle. Provided that her legal nursling be but faithful to her creed and to the political sentiments which she inspires, he may in other respects live as he pleases, and be pretty much as other men are. If he only have his wits about him, and keep his eyes decently open to the chances of fortune, he will, under the tutelage of his Alma Mater, be sure of reaching the honors of his profession—and that, too, without undue exhaustion of either physical or intellectual powers. As for industry and learning in a serious sense, that is no longer looked for in the junior ranks of the profession, either by the Castle or by the attornies, or by anybody else who has to do with it. Public opinion does not now expect that the young diletante of the Four Courts shall turn into a professional drudge. He is as little expected to consume his precious eyesight poring over law books, as, while on circuit to degrade the fineness of his gentlemanhood by fraternizing with commercial sets in the provinces, or by making up to the families of brief-producing attornies. At one time, during the duelling era of Irish society, a man at the bar had to shoot himself up into business; at a later period, to

dance or to slide into it; and there was an interval of the age of iron, where even actual industry was expected of him, or else a reputation for it. He had then not only to shew diligence in attending quarter sessions, but frequently to hobnob with the opulent tradesmen of provincial towns, and conciliate the favour of rural orangemen, or political parish priests, as the case might be. It was a condition of existence "to be popular," and he had to practice many vulgar artifices, to elbow forward into every avenue leading to business, in a patient, plodding fashion. But these hard times have passed away, and the modern junior of the Four Courts no longer cares, in our golden age, to undergo any unpleasant probationary process.

Patient delvers there are no doubt—dull, hard-working, conscientiously business-like fellows—who are content to zigzag upwards still, in a round-about antediluvian way. But he is not one of those legal jades. Such diligent tortoises obtain less in the end, with all their industry and painstaking, than a clever political acrobat achieves easily and rapidly, without descending to the practice of any sort of laborious self-denial.

The industrious example, therefore, recommends itself neither to his imagination, to his cultured taste, nor to his good sense; for, besides being a man of fashion, he is especially a man of foresight, and a man of the world above all. He calculates that while, on one hand, there is but little bona-fide law business in the country; on the other, that it abounds in politics. He does not therefore choose to dull his brain with a wearisome superfluity of knowledge, professional or otherwise. He burns no midnight oil. Some two hundred well-provisioned government places are to be divided among six hundred barristers. By consequence, political intrigue—not Coke or Blackstone—becomes the chosen object of his study. He perceives that the great prizes of the law are not for mere lawyers, but for loungers and politicians; and having in view an easy short cut upwards to honor and fortune, he feels that any-

thing more than a gentlemanly intercourse with his profession will be rather a hindrance to his uprise. He intends to win the stakes, to carry off a fat slice of the sinecures with which the Castle has enriched this learned calling, but he also intends to enjoy himself meanwhile, and to ride the race in the satin sleeves of a gentleman rider.

Accordingly our modern junior—the junior “di qualita” who is prudently mindful of his social privileges and of his own importance—just scents his pocket handkerchief with so much of the essence of law as serves to impregnate his graceful person with an odour of the profession, and then takes his ease and his pleasure freely, content to wait for the ripe plums which time is quietly maturing for his benefit. During term, he will be daily found at the Four Courts, relaxing his legal mind amid the effete jokes and never-ending gossip of “The Hall.” He is a wit by profession, and at an early age achieved a reputation in the superfine art of conundrums. At double acrostics too he excels, or rather did some years ago when that hideous fashion prevailed. He has written an admirable book upon the subject, and practices besides a variety of literary aptitudes. He is a ready twister of verses, comic or sentimental, and can supply them off-hand with deplorable facility. Prose he can indite with almost as little labour as poetry; vigorous prose or fiery poetry comes equally easy to his fluent pen.

In moments of inspiration he supplies leaders for *The Express* or *The Mail*, or sinks back to the level of *The Evening Post* or *The Freeman*, when in a duller mood, or in a different political vein. The Historical Society of Trinity College has developed the fatal gift of oratory common to his race, and he can, by reason of its training, speak in public at a moment’s call upon any subject with Celtic ease and fluency. That famous debating club enjoys a well-grounded forensic reputation. It has produced many brilliant orators in its time, but by nourishing the elocutionary virus which dwells latent in all of Hibernian blood, it

has in its own way done much to retard the material advancement of the island.

The Historical Society has, however, been of utmost value in forming the characteristics of the aspiring barrister. It has made him not only a spouter, but even a speaker—a conversationalist. He is often an excellent actor and raconteur, and is always a welcome guest at bachelor dinner-parties, and other convivial assemblies. He is a clever mimic, and frequently shines in giving illustrations of the leading characters of his circuit. The daily incidents of *Nisi Prius* practice, the testy Chief Justice, the clever practitioner, the comical witness—such studies as these are especially his stock-in-trade, and he will strike off their peculiarities with grace and humour. Although by nature a fine gentleman, he is not above being a “Jack-pudding” occasionally; and after the round of a few circuits he will be a judge, he will exchange buffoonery for politics; and thenceforward is the high road to the Bench.

This is scarcely an exaggeration. For every clever youth at the Irish Bar, there is a Judgeship lying waiting somewhere in the future; and if he misses the ermine, there is always the *pis aller* of a Chairmanship of Quarter Sessions, or some such equivalent comfort lying ready for him to fall back upon. To obtain such an office no special qualification is exacted. It is only necessary that the barrister shall stand well with the powers that be, and have the same political principles as the Lord Chancellor for the time being, with whom the appointment virtually rests. This is an arrangement which suits the country, as in Ireland large families so much prevail that even judges of the land do not escape the infection, but often have blood relations to settle in life like ordinary mortals. Occasionally even Lord Chancellors have as a matter of necessity to turn nepotists.

As vacancies in the minor offices are always appointed to by interest, it follows that the standard of county judge ability is not, as a rule, despairingly high. It is just neces-

sary that such a judge shall be competent to exercise the functions of an ordinary jurymen. That is about the whole of it ; and it is well, for if more distinguished attainments were to be exacted, many existing chairmen would have to retire disqualified from the County Bench. The dullest idler in the Four Courts accordingly holds himself quite competent to fill the presidential chair at Quarter Sessions, and reflects, that if the duties of the office are light and the qualifications inappreciable, the salary in proportion to the sacrifice of leisure involved, is magnificent.

The seat of an Irish Puisne Judge is admittedly not a hard one, but it is an uncomfortable and badly-stuffed cushion compared to the pillow upon which a County Chairman goes to roost. Placed beside the chairman, the judge even excites our compassion by appearing as a badly-paid and cruelly over-worked individual. The judge draws a salary of from £3,500, to say £5,000 a-year, to which stipend the duties attached are not indeed onerous ; but he has had to see his share of the world—to undergo the ups and downs of life, and incur the caprices of fortune—before securing the splendid repose and dignity of the Bench. Deriving as he does directly from the Government, he has had to earn his advancement by having rendered distinct political service of some sort. Either he paid a round sum out of pocket in contesting elections for his party, or else helped his political chiefs out of some dilemma with some of the Irish factions, or displayed ability or eloquence in parliament or—the easiest, most practical mode of rendering service—perhaps he made a holocaust of the principles of a lifetime, by becoming a converted patriot at an important crisis—by turning round outrageously upon some great occasion, and so constituted a claim which is always in good time redeemed.

But the Assistant-Barrister—whose office was first invented in '98 by the famous Lord Chancellor Clare for the purpose of bribing the turbulent profession into good behaviour at the critical period of the Union. The Assistant-

Barrister who, in conformity with his origin, practically derives not directly from the government but from its head official—the Chancellor—is not necessarily required to create a claim to obtain promotion. In truth he is not required to do anything, or to have any antecedents, or even to exhibit any ability whatever in modern times. He only needs to be somebody's nephew or cousin, or somebody's very particular friend, or to have strong partizans in the country who in exchange for his advancement, will pack up well together at an election contest.

The Assistant-Barrister touches a salary of from £700 to £1,100 or so, according to class;—an insignificant income when compared to the thousands of a Chief Justice or Chief Baron, but having in view the trifling sacrifice of leisure and convenience which he offers in exchange for it, the Chairman is even more highly paid than his ermined superior. The Judge surrenders all his practice, and gives the whole of his professional life to the duties of his office; the County Judge only such portions of his time as he can spare or are of no use to him. He arranges that the quarterly Sessions in his district shall be during the idle intervals of the professional year, so as not to interfere with his private practice, and these quarterly visits are so short and the functions attached to them so easily discharged, that he regards the whole thing rather in the light of a recreation.

The “hard-working” of the first-class chairmen sit for about three weeks each quarter, receiving payment at the rate of say £100 per week for the sitting; others average a fortnight, ten days, a week, half a week, and there are cases where only half a working day is given up to the discharge of public duties. For instance, an illustrious Chairman of Kilmainham—the District immediately around Dublin—adopted, in his time, the thrifty habit—

“For thrift is blessing if men steal it not”—

of adjourning his Court at noon, so as to be able to drive

into town and appear in full practice at the Four Courts on the afternoon of the same day—a sort of short cut possibly not always approved of by litigants of the Kilmainham district. But Irish legal arrangements do not profess to consult public convenience, and in an average Irish court there is in point of fact so little *bond fide* business to be done, that it does not matter how much it gets tossed about.

The holder of a Chairmanship may in addition fill a number of other offices—Crown Prosecutorships, Commissionerships, and the like—which easily run his receipts from the public purse up to some thousands a-year. It is well to be emphatic upon this point, now that the County Chairmen have the hardihood to appear as petitioners for an increased gift of public money. They represent themselves as being over-worked and underpaid ; and the amiable Sir C. O’Loghlen has put himself in the grotesque position of appearing as their advocate—has actually given notice of a motion in parliament in favour of the aggrieved order to which he formerly belonged.

With such fair pastures lying open before him, the young Irish barrister, whatever be his abilities or deficiencies, naturally regards the future without apprehension. He recognises that a system already exists in working order, which he has only to fall in with to profit by. It only demands that he shall not be impracticable, or tilt against stone walls, or indulge in irreconcilable views, but comply with conditions which are easy, even pleasant to observe. The road to success is plainly marked out, and is very smooth travelling to boot. He has only to do that which comes by nature to all Irishmen—to take up with one or other of the rival political factions, which are always hating each other, throughout the length and breadth of the land, and to make himself a staunch partizan of any party—it does not matter of which. It does not matter whether from a liberal he turns at one extremity to orange and conservative, or whether from a whig he changes with equal rapidity into

an extreme patriot, and takes to green scarfs and patriotic breast pins on an election platform. Either method will do. So that his creed be well defined for the moment, and his conduct not staringly inconsistent with it, is all that any one expects. There is scarcely a rule about the choice of a colour, whether orange or green. The conservative side has fewer innings, but the liberal ranks are more thickly packed, so that it is in all essentials an even choice. He may, if disposed, even leave the selection of colour to chance, or like the hair of Signor Benedict's mistress to the caprice of heaven ; but if there be a rule it is probably to select as badge that particular hue which would seem of right and by nature not to belong to him.

For instance, a Protestant will do well to side with the high and dry liberals, and take the popular side, on tenant-right, denominational education, the Catholic claims, and Stephen's Green University ; but if a Catholic, it might be well without abandoning his religion as in former times, to veer from the Catholic side of politics, which is not altogether the same thing. There are instances where such an experiment has proved brilliantly successful. A good steady conservatism may then best serve his turn, and the orange domino becomes at once the most advantageous costume which he can select to masquerade with. In every case a seat in the legislature is indispensable—is indeed so indispensable that the bar has grown to look upon the representation of the country as an appurtenance of itself, almost as a department of the profession. This pretension is advanced with such supercilious barefacedness, that sometimes interference with the candidature of a popular barrister is considered as a breach of privilege, almost as an impertinence. Other persons are tacitly required to move back out of the way of a rising lawyer on his way to the bench ; to give him the *pas*, as if to a county magnate at a provincial dinner party. But for this there are better reasons than appear. The circumstance is not as irrational as it looks at first. It does not proceed from an absurd preference for

lawyers before other men, but from the fact that a lawyer has more personal friends to provide for, and therefore more individuals interested in his success, and consequently a wider circumference of ready-made active support than most other men can command.

Let us examine the features of this peculiarity. The Irish political barrister is admittedly an adventurer—an adventurer by profession, of a recognized and fashionable type—a man who takes up with a party, and adopts its creed for the transparent purpose of achieving his own uprise in the law and in the world, avowedly and openly. But he is more than this, or rather he is besides, the leader of a gang of unrecognized and unseen, and because unseen less reputable, adventurers who are following in his wake, and whose fortunes are tacked on to his tail, and to be helped forward by him. All Irish public men are more or less encumbered with an unseen tail of this kind, but a barrister's appendage exceeds all others in length and unwieldiness.

There are in Ireland a number of very big people always wanting very small places from the Castle or from the Minister, and the Castle and the Minister are prudent enough to keep a good supply of the requisite small wares and favours on hand for daily distribution among their friends. It is an understood thing that political services, great and small, shall be requited with payments of certain small change of pensions and of honors. Ever since the "Union" inaugurated this practice it has been persevered in with commercial regularity, and the English Minister supplies his budget of trinkets for the Irish market, as methodically as traders of the Gold Coast do bales of spangles and glass beads to tempt the cupidity or gratify the barbarous fancy of the native savages. Accordingly, the average public man now finds his time pretty well occupied in applying or intriguing for favours for his friends and supporters. The squires and squireens of the parish want—the one, perhaps a knight-

hood ; the other, the embroidered coat of a Deputy Lieutenant, or the pleasant salary and consequence of a Stipendiary Magistrate. The opulent grocer, brewer, or distiller of a provincial town—the bourgeois gentilhomme—and no more hideous variety of fungus exists than the Celtic start-up—probably sets his eye upon the social advancement of a justiceship. The highly influential family has a secret embarrassment of some sort, possibly some loose-living horse-racing nephew or cousin who would do uncommonly well in the Customs. The two or three local attorneys dream of a Peace-clerkship or a Crown Prosecutorship with a modest salary. The village publican has an ambitious son who sighs after the Excise.

All these classes have learned by experience that the readiest way of getting anything from the Castle is to employ the advocacy of an influential barrister—that is, a political barrister—who has been duly entered for promotion and who holds a seat in the House. Hence the popular desire that men of the right stamp should be furnished with seats when the opportunity offers. Hence likewise the burst of local enthusiasm which often heralds the election address of some popular barrister in the county papers. All the eager expectants of a given constituency gather to the muster and rally round their man when the crisis arrives. The return of the influential person is every one's affair. It is something like the election of a leading American politician in a small way. If the head of the body can only get in, the rest of the long-tailed column follows after in due course, joint by joint, and each one of the obscure backers wins privately, or expects to win, the secret stake for which he has been playing. It is like starting a thorough-bred for a heavy purse. Every assistant of the stable, every tout and hanger-on of them all, obtains a small share of spoil in case of the favourite's success. It follows, that the legal candidate enters the field with many advantages already gained, and swelling the clamour which is raised in his

favour, comes in the huge auxiliary force which the Bar itself supplies. This is a moving contingent, a sort of flying column, upon the support of which an embryo Attorney-General can always rely with safety. It is recruited from the great hungry lower ranks of the learned profession, the ornamental members, the honest dunderheads, and the men who never attempted to seek for business nor even desire to get it—but who fully desire and intend to be named third class chairmen, crown prosecutors, registrars, petty commissioners, counsel to official departments, secretaries or clerks in the superior courts, &c., &c. — in fact whose sole arrangement for the future is a Castle windfall — to come in for an allotment of the patronage which their chief, when Attorney-General, will have to distribute among his friends. The Irish legal system abounds, as we have said, with a supply of these small but comfortable places designed for the support of the great unemployed division. It is a gentlemanly species of out-door relief, which a wise government has organized for the endowment and maintenance of the incompetent members of a petted profession.

The parliamentary candidate of the bar accordingly enters the election field with an immense array of forces under his command—with a broader basis of support to rest upon than any non-professional candidate can hope from the nature of things, to find ; and all his adherents are eager, energetic, hearty in his cause: they take no rest in his service, they exhaust their wits, stir up local influences and jealousies in his favour, make speeches for him, intrigue for him, puff him in the county papers. What matter that they have an interest in his success, are speculators on his promotion, and regard the favourite in the light of a simple investment. That only stimulates their action and renders it more efficient. Instances are even known where the candidate's supporters are not only speculators on his uprise, but outfitters likewise — undertakers and partners in the venture — and have actually furnished him with funds necessary to embark on the enterprise.

Is it matter of surprise, if under the influence of such a state of things, the young barrister should grow to regard himself as a privileged personage, belonging to a favoured and superior order? Privileged classes have a generic tendency to dwindle into cubbishness in their junior offshoots, like young lords and guardsmen, high church parsons, and Irish police officers. What wonder therefore if the Dublin junior should sometimes bud into an offensive specimen of the very vile cub species? Everything connected with his legal existence tends to develop this propensity. From the moment of being called, while already a briefless embryo, he becomes a government pet, and presently, as Leader, a prominent and privileged partizan of either of the two parties who succeed each other in power at the Castle; later, as Attorney-General, he is an integral part of the executive itself; and ultimately as judge he stands forward, the incarnation not only of law and justice in the restricted sense, but of law and order in a ministerial rather than a judicial sense. The Irish Judge is a composite official formed of the most incongruous elements; for in addition to being a Judge, he is also the Government, the Privy Council, the Castle; he represents English dominion through the medium of the Viceregal establishment—the most hateful form in which it can be represented to the popular mind—and he is careful to keep his hand in constant practice by exercising the multifarious duties which go to compose the bizarre nature of his office.

When judicially engaged in a political case, for instance, or when he charges a grand jury on circuit, the judge usually improves the occasion by delivering a solemn lecture on nearly every subject of current public interest. The flimsiest pretext will suffice him for ventilating the peculiar views of his order or of his party. If an agricultural case appears on the record, the judge will be sure to avail himself of the opportunity to make commentaries on the recent Land Act. It will be an occasion for extolling the Prime Minister, for commending the Lord Lieutenant and Chief

Secretary—even for saying a good word for the late Chief Secretary, the politically deceased Mr. Fortescue. He holds cabinet opinions on mixed education. The Black Sea conference ; or the “ Prussian terms ” engage his attention ; or, failing to light upon a fresher or more original subject, the twin horrors of Ribbonism and Fenianism come in for stereotyped maledictions.

These improving lectures in the provinces are among the circuit duties of an Irish Judge : but once established in town, during the fashionable season at least, his engagements partake of a more varied and less professional character. Unhappily for his repose, the judge is supposed to be the leader of the resident aristocracy of the capital. Not only has he to patronize the levees and drawing-rooms of Dublin Castle, the Viceregal balls and banquets, but he has actually to take part and be present at these “ brummagem ” ceremonials. The absurd court of the Irish Viceroy cannot afford to dispense with any of the supports which help to continue its feeble and deciduous existence, and all the high legal dignatories are expected to join in upholding the faded pageantry of the institution. It is assailed on every hand by the ridicule and contempt of the country, and on the judges chiefly devolve the necessary duty of manning the social ramparts in its defence. It must be difficult for a Chief Justice to avoid smiling in the face of a learned brother of the Bench, as the pair encounter in St. Patrick’s Hall, conferring dignity by their presence on the crowd of *nobility and fashion* which assembles there. It must be a trying position for anyone endowed with a sense of ridicule, or with the fineness of nerve which culture and fine breeding generates. Although the Dublin judge is not invariably a scholar and a gentleman, he is often one or other, and these social penalties therefore entitle him to our compassion. But as he draws an average stipend of some £4,000 a year for consenting to be a judge, it is not fair of him to quarrel with his bread and butter, or make wry faces at the absurd services by which he is supposed to

earn his handsome salary. The native aristocracy, however, not only make faces at the Castle "drawing-rooms," but at court, capital, and country into the bargain, and show nothing but their backs to the whole concern.

The higher classes not being salaried for attending at the Castle, like the high legal ones, simply avoid it. They don't go there. They abandon the position altogether, and by taking flight alike from their estates and from the capital, further assist the social encroachment of the all-pervading law. The emigration of the landed proprietary absolutely hands over the social position to the legal hierarchy.

It is this fact which renders the profession so attractive to young men of ability and culture. This, and also because there is no other path in life which offers them an equal temptation of a career. There is no such thing as wholesome literature of a high tone in the country. Native art has died out. Society since the Union has emigrated. That which sustains its semblance is a sham, like Dublin fashion, like the Castle levee. Commerce has decayed. Industry is paralysed. There is in fact but one department which still enjoys a vigorous existence—the political industry of a political lawyer.

This decay of the other professions, the absence of other opportunities, has caused the Bar to be over-crowded with restless and discontented men of talent, who have had to take refuge there; and the Government by lavishing endowments and privileges upon it, by arranging to purchase up the refuge, has made its own of the needy refugees. This deep-sighted device has been practised with so much dexterity by each successive administration, that the modern Bar has become a trap baited by the State—a trap in which the best of each generation, the youthful genius and ability of the land are securely taken.

Practically, the state has addressed itself in these terms: "The clever youth of this politically hostile people might give us much trouble if suffered to be independent. We

must prevent this by enlisting them in our service, and our interests, by forcing them into this favoured Corporation of the Law. Let us enrich it exceedingly ; yet keep its best prizes under control, and make the adherence of its members to us a condition for obtaining share of the good things which it possesses. Thus we shall obtain a two-fold result—not only prevent men of talent from joining the enemy's ranks, but convert them into useful and subservient instruments. They might do us much harm. We shall make them do us much good service. Once enclosed within the boundaries of the law, we shall hold them safe as in a paddock, to be employed according to our need and disposition."

This is the light in which the Government has regarded the question, since the relaxation of the penal laws threw open the ranks of the profession ; and results have proved that it did not calculate amiss. The Crown has been only too often justified in counting on the unconditional subservience and venality of the learned brotherhood.

In Wyse's *History of the Catholic Association* we find the following note :

"Catholic barristers up to the period of which we are speaking, were only known as pensioners*—the strings which the Ministers held to move and direct the Catholic body. Fortunately their efficiency diminished in direct ratio to their servility. From an early hour the Bar was crowded with these adventurers. They first entered (taking the oaths) as recusants or converted Papists ; then, on the relaxation, they continued under a mongrel character—a something between Papist and Protestant. The Government first tried to entrap and persecute them, but finding them too slippery, at last agreed to use them."

A more remarkable extract is the following, which we borrow from the Peel Memoirs. It is of a later date and taken from a letter of Leslie Foster (himself a judge) to Vesey Fitzgerald.†

"I should expect marked results from silencing the Catholic Bar, which the opening professional hopes would certainly effect. The subservience of their barristers while they have a hope of personal promotion, is as remarkable as the extent

* See Boulter's lugubrious complaints.

† *Memoirs by Sir Robert Peel*. Vol. 1, page 267.

of popular influence which they acquire when their hope is afterwards abandoned. You would never have another O'Connell or Shiel. Had the bar been thus silenced a few years ago, what agitation would ever have existed? No other profession or calling has produced an agitator of any real influence."

The process of *silencing* on the one hand, and the counter device of talking loud—of raising a factitious clamour—so as to attain to the importance of becoming worth while to silence on the other, seems to have been practised by both sides since the ranks of the Bar were first thrown open to all comers.

The acknowledgement by Lord Castlereagh of large sums applied to the purpose of purchasing the junior Bar, marks the initiation of that policy of governing Ireland by the corruption of the Irish Bar which prevails up to the present time. Cut off the heads of the tall poppies, was the old Roman policy; buy them and make use of them, that of the more sagacious Castlereagh.

At the time of the Union the body of barristers were inclined at first to make a stand against the detested measure, and against the intriguing Government likewise. They were furiously patriotic—threatened even to resort to force, to inaugurate an armed insurrection against the Crown if the project were not abandoned. At one moment even, such threats appeared to be on the point of execution, and a most intemperate course was on the eve of being adopted by the corps of yeomanry called the "Lawyers' Infantry Corps." This regiment was composed of members of every branch of the profession, and probably on that account was nick-named the "Devil's Own" by the populace, or, as it was commanded by Mr. Saurin, possibly the title might have originated from a popular desire to pay a compliment to its famous captain. At all events so earnest was Mr. Saurin in opposing the measure of the Union, that an armed assemblage of the corps was officially summoned to protest against it; and on the 30th November, 1798, Mr. Saurin caused the following extraordinary order to issue :*

* *Cornwallis Correspondence.*

“Lawyer’s Infantry :—The Corps is ordered to parade Sunday next at 12 noon, at the New Court, in the new regimentals. A punctual attendance is requested, as business of the utmost importance is to be transacted.

“ (Signed) STEWART KING, Adjutant.”

But so many persons protested against the unconstitutional course of meeting as a military body for the discussion of a political subject, that Mr. Saurin was compelled to revoke his previous order; accordingly, on Saturday December 1st, this countermand appeared :—

“The parade is hereby postponed. The Barristers are to attend at Chancery Chambers, at 3 o’clock P.M., on business of utmost importance.”

(Signed as before.)

The result of this meeting is noticed in the following extract from the letter of the Lord Lieutenant (Marquis Cornwallis) to the Duke of Portland of December 5th :—

“The opponents of the measure [the Union] are desirous to prevent the discussion of the subject, and leave no means untried to commit the public in the first instance against the measure as subversive of the Constitution, and as such not to be entertained. Pains have been taken to represent an acquiescence in its principles as a violation of the oath of a yeoman, in which he swears to support and maintain ‘the Constitution of this Kingdom as by law established.’ The bar have been most forward in their opposition, and have this day assembled as a corps—it is understood with an intention of taking up the question. Should that learned body be so intemperate as to set an example to the yeomanry at large, unconstitutional in the extreme and dangerous to the public safety, I shall feel myself called on at the outset to meet this attempt to overawe the King’s government and the legislature with decision.”

On December 15th, the Lord Lieutenant again refers to the subject in a letter marked “secret and confidential” :—

“Your Grace will probably have seen in the papers an account of the violence which disgraced the meeting of the barristers, and of the miserable figure which the friends of the ‘Union’ made on a division of 32 against 162. The bankers and merchants are to meet on Tuesday next, and I do not expect a more favourable division on that occasion. In point of indecency of manners and language they cannot surpass the gentlemen of the learned profession.”

It was fortunate, however, for the peace of mind of Lord Cornwallis, that the opposition of the lawyers to his cherished project was not as sustained as it appeared to be at the moment genuine and resolute. The gentlemen of the long robe were not more deaf then to the voice of reason

and of interest than they appear to be in our time, nor so extravagantly devoted to the maintenance of abstract principles of patriotism, as the Viceroy's anxiety on the subject would lead one to think. It appears that he knew his men better than he pretended, or if he did not then, that he speedily discovered a plan of becoming more intimately acquainted with the true value of these warm-blooded patriots of the forum—an experience which, as we have observed, has not since been lost by any of Lord Cornwallis's successors. The silencing process seems to have been put in force in this instance with great success, as a foot-note to the passage of the letter just cited curtly informs us that,

"The Union was violently opposed by all barristers, except such as then held office under the Crown, or were in expectation of preferment. Of the thirty-two that composed the minority at this meeting, all but five had before the close of 1803 obtained their reward. Amongst them were numbered five Judges (Daly, Johnson M'Clelland, Smith, and Torrens); sixteen County Judges; two Officers in Chancery; three Commissioners of Bankrupts, and one Commissioner of the Board of Compensation. Some of the opponents of the Union used language little less than treasonable; but they so altered their tone that they obtained the highest honors of their profession. Of these *Mr. Saurin* has already been mentioned. *Mr. Plunkett* was appointed Solicitor-General in 1803, and ultimately Chancellor; *Mr. Bushe*, Solicitor-General in 1805, and afterwards Chief Justice of the King's Bench."

The Government and the profession upon that occasion arrived at an understanding with regard to their mutual interests, which has never since been interrupted nor confused, and the beneficial fruits of which continue ripening down to our time.

It is true that this engrafting of the law upon the Castle-root has caused other fruits neither wholesome nor beneficial to come to maturity likewise. It has given to what should be a hearty and a manly calling the sickly and dwindled existence of a parasite. It has caused the members of that calling to vacillate in political principle—to degenerate in character as public men—to decline in intellect and eloquence. The standard of intellectual excellence at the Irish Bar is certainly lower at this moment than it has been at any time for a generation, and its tendency is unhappily not

yet in an upward direction. The contrast between existing leaders of circuit, for instance—between the modern promotions to the Bench, and the white-headed veterans of the O Connell era who still cling on to their seats there—is so very marked that the difference is not disputed. Worst of all, it is good-humouredly assented to by junior and rising members of the profession, without even an affectation of self-reproach. It scarcely occurs to them that there is any humiliation in admitting the fact. They will tell you gaily that the modern billiard table upon which their match is to come off, is an easier one than the old ; that the cushions are softer, and the pockets wider ; that very little practice with the cue, and the art of merely “gassing” the ball will suffice for the winning of the game ; and after all, it is confessedly less the winning of the game than the carrying off of the stakes which is an object with them to secure.

But the continuance of the Castle system of arrangement with the bar has contributed to foster evils of greater importance, than the political prostitution or even intellectual degradation of the foremost members of a noble profession. No insignificant share of recent national discontents was derived indirectly from the same origin. For instance, what sort of contentment would Englishmen be likely to feel, if they were ruled by a foreign cabinet unfamiliar with the genius of their nation—incompetent, or at all events hitherto singularly unlucky in the execution of its legislative functions and of its invariably professed good intentions ? How would their contentment be enhanced, if in addition they discovered that the entire domestic administration of their country was entrusted to a family of lawyers, influenced by no other motives than to earn the wages of servility from a foreign government ; that in every important department of the state, lawyers are found in warm possession ; that all valuable functions have become absorbed into the legal family ; and worse, that every national measure—every popular demand—must come to be compressed and moulded into shape by the

narrow mind of the "profession"—before it arrives under the notice of the Executive? Yet in Ireland this is much the case ; and if we had space to follow out the working of cause and effect, it could be shown that the influence of the bar is at the bottom of many recent failures in the Irish legislation of English cabinets. The law has got itself astride upon the energies of the country and farms it like the worst of landlords, mercilessly for its own selfish advantage. So entirely has the Government cast itself into the arms of the profession for guidance that it cannot now move in Irish affairs unless sustained and assisted by a staff of lawyers. Unless with a reserve of legal advice ever ready to hand, it feels neither strength or confidence to act. Yet Irish legal advice when supplied to the Government frequently means mischievous misdirection. In such cases the counsel given is ordinarily that which shall prove profitable to the counsellor, and be agreeable for ministerial ears to receive. The poisonous trail of the privileged profession is distinctly traceable on the recent Land Act. More than one Irish judge was applied to for advice by Mr. Gladstone at the crisis of that statesman's "amnesty difficulties," and the result was—first a hesitating refusal of the petition in favor of the prisoners, afterwards a qualified compliance with its prayer, which, like all half-measures, only succeeded in giving general dissatisfaction on both sides of the Channel.

The received directors of the ministerial conscience on Irish affairs, are according to established usage, the Attorney and Solicitor-General for Ireland of the time being ; but in an exceptional case, such as that which actually exists, when the Attorney-General finds the portal of St. Stephen's slammed in his face by the Dungarvan Fenians, the Government is not above listening to the counsels of non-official members of the bar who may happen to have seats in the House. Strange guides these non-official members of the bar and members of the House sometimes prove themselves to be.

If the Western Island has lost her native parliament, she

has often an opportunity of taking vengeance on the stronger nation for the robbery of her liberties, and of making England regret the hour when first she intrigued to incorporate the Commons of Ireland with her own. There is exquisite retaliation in using freely her prerogative to commission anybody to become an English legislator, on easy terms; and in the execution of this "wild justice of revenge," she must often rejoice at seeing the Saxon change color at the curious representative specimens which in the form of successive legislative donations, she keeps supplying him. Yet of all the contributions with which Hibernia enriches the Imperial Parliament, the strangest are those which she culls from the profession of the law. As a barrister of any sort getting a seat is morally sure of the bench, it follows that barristers, of every sort who can, get seats, and get them more easily than other men, for reasons before stated. But when a barrister finds that in right of his seat he also obtains a share of the confidence of the Government, and finds himself suddenly called to fulfil the offices of statesmanship, he not unnaturally loses his head or his wits, or gets led astray by that overweening vanity which is the besetting sin of all amateurs.

Can it be matter of surprise that the administration is rarely clear out of a puzzle in Irish affairs, considering the obscure general practitioners and audacious quacks whom it is never tired of calling in for consultation and advice? Blind leaders of the blind they often prove to be, yet occasionally a very open-eyed leader of the blind appears upon the scene, and then 'tis worse confusion, for when he leads or directs the Government, it is by no means for its benefit or profit, but for his own.

There need be no such thing as a broken-down barrister in Dublin; as the destitute "briefless class," and the nominal and ornamental gentlemen of the bar; that fringe of *dilettanti* which there, as elsewhere, is attached to the skirt of the profession, is generally provided for by the Castle.

Take for instance the amiable Mr. Stephens Green and

notice how apparently indifferent he is to professional prospects, how free from anxieties upon the subject. He does not exhaust himself in study ; although an abundant consumer of gaslight, he burns no midnight oil. He is just waiting for an opportunity of getting into Parliament, and meanwhile employs himself at billiards chiefly. He can twist in off the spot, indifferently into the right or left hand pocket, and he does not care into which hand pocket it is. By and by he will handle the political cue with equal dexterity, and with equal freedom from any sort of scruple. At present he lives in a state of political irreligion, like those princesses of certain German royal houses who cannot make up their minds to be either Protestant or Catholic, until they receive a proposal of marriage. In the same way Mr. Stephens Green is quite open to treat with either the Orangemen or the Papists for the prize of his hand. He has no strong views. He never commits himself. He is the friend and associate of the elegant and accomplished Mr. Dangle. Mr. Dangle is cousin to Lord Lackadasie. This gentleman never had an inclination for the law, and but for the accident of family interest would not have entered its ranks ; however, since the extension of the mustache movement there, he has become more reconciled to the profession. He is a handsome, well-attired youth of gentle and refined pursuits. He calls at a Grafton-street establishment in the afternoon, and has his gloves squeezed on by the simpering young shop-women who assist at the counter there. When the supply of French kids ran short during the war, he was a pitiable object, and ruefully surveyed his well-bred hands disfigured in the home-made article. On the whole it will be difficult to make Dangle a judge, as his vanity renders him impracticable. He would as soon think of riding in a penny omnibus as of extending those taper fingers to shake hands with an attorney ; but, though not a judge, as the Lackadasie interest is good, it will be easy to enrich the happy gentleman with such a fine bunch of small offices that their aggregate

salaries will not be much under the income of a puisne judge.

Honest Mr. Delver looks on with a jealous eye at both Stephens Green and Dangle, and feels that, notwithstanding his application and his learning, they will both surpass him in the race. Delver is an antediluvian, and clings to the belief that attachment to his books will get him on at his profession. He is getting disabused, however, bit by bit ; and the success of that eminent counsel, Mr. Vapid, has very nearly broken Delver's honest heart. Mr. Vapid has neither a genius for oratory nor a vocation for law ; he is neither learned, nor cultured, nor well bred, nor young and elegant like Stephens Green and Dangle, yet he has shot over them both. The law was an after-thought with him ; he was already middle-aged when it entered his mind. And it never would have entered his mind, but for the legal success of a distinguished relative to whose tail he will attach. Yet when forsaking the settled routine of an insignificant but safe position in the world, to face in maturer years the risks of a profession, it had not entered Vapid's dreary brain to desire to be anything better than a parasite. He never had an illusion in all his life, nor ventured to intoxicate himself with the thought of being rich in any of those special gifts and attainments which might raise him in his new career. He merely invested himself with the barrister's gown because it was the uniform in which his interests could be best advanced by his fortunate legal connections. He just desired to fasten on to another man's reputation in the received and orthodox fashion—nothing more. It was, therefore, an immense surprise, when one day a chance of fortune came to lift him at once over the heads of many a legal senior and superior. One lucky day he happened to fall into the good graces of a good-natured parish priest who, in the plenitude of his parochial omnipotence, decreed right off that the eminent counsel should become a British legislator. Mr. Vapid was thrust into parliament on the votes of a subservient constituency, and

his fortune was made at a stroke. Having a seat in the House, it may be said that the period of professional suspense is over with him. He belongs thereby to the upper ranks of the profession, and will be an ill-used individual if not presently seated on the Bench beside his relatives: for Judgeships invariably run in families, or in sets in Ireland, the members of which inarch one upon the other, and in that scientific way lend a mutual support, and attain to a uniform development of prosperity. There is nothing like being in the right groove for promotion in Dublin. It is like tapping a vein in a mine out of which come rich flakes of precious metal at every stroke of the pick. Being in a right groove means having relatives already on the Bench, or being attached to a strong clique of Government attornies. A good town attorney connection not only brings business as in London, but in Dublin it confers influence and position—position in a political sense on the fortunate barrister. It establishes him as a political personage; it is even better than having complaisant judges for your kindred, and is in fine everything but the supreme lot. The supreme lot is to become the well-beloved of a leading parish priest, who, as in the case of Mr. Vapid, shall nominate you for his pocket borough.

In England, where mere professional position counts for promotion, the judges are virtually appointed by the attornies, who by giving them business bring the best men forward into public notice. But in Ireland, where professional position is of little account and politics count for everything—where "*le savoir vivre vault mieux que le savoir*," judges are not unfrequently made by influential parish priests, who capriciously pick up an adventurous barrister, as in the case of Mr. Vapid, and by mere weight of sacerdotal influence, raise him into the House.

Here is another type of Irish barrister: Mr. Mulligan, Q.C., direct and lineal descendant of the O'Mulligan of Ballymulligan—the genial friend of the late lamented Michael Angelo Titmarsh—is quite of another race and

nature. Mr. Vapid is the silent unobtrusive individual, who, conscious of his own deficiencies, desires to slide upwards to the Bench without making any noise, and if possible without causing scandal. He is by nature diffident and retiring, and except when necessity compels, never emerges from the obscurity which becomes him best. But the O'Mulligan is a florid impostor. He does not care how much noise or scandal he creates, and is never easy unless when attracting public attention or tumbling before an audience. His position with the Castle is probably a good one, and though many of his kindred may be in positions of dignity and influence there, it does not prevent him from seeking to stand well with the popular party also. He is an intemperate spouter and quite as vain as he is ambitious. To swagger in country quarters on circuit, as a tribune of the people, the successor of "The Liberator," and the saviour of his country, is ticklesome to his vanity. He assumes to be a strong nationalist, and in Ireland that is a strong term. When a vacancy occurs, he stands for the Great Blunderbuss County, and makes ranting gunpowder speeches from the hustings there—

" Talks plain cannon fire, and smoke, and bounce ;"

slips a green scarf over his silk gown, toasts and cheers those victims of British law and English tyranny—the convicted Fenians ; uses language which just skims the brink of treason, and as a consequence, becomes extremely popular.

Instances are known where audacious mountebanks of this class have performed their parts so successfully, as even to beat authentic Fenians and nationalists out of the field in electioneering contests.

There is a story about a barrister of the O'Mulligan school, who at the time of the Fenian excitement was trying at the hustings to make capital out of his previous professional defence of the Fenian prisoners. It happened

that the gentleman was himself closely connected with a leading law officer and a special commission judge, who in the popular mind were supposed to be bitterly hostile to the political prisoners. The fact furnished a hostile elector with an opportunity of making this rejoinder. It was a knock-down blow to the learned gentleman's point about having defended the convicted Fenians.

"Yes, you defended them," an elector calls out from the crowded assembly, "and your brother-in-law, Mr. ———, prosecuted them ; and your other brother-in-law, Judge ———, tried them ; and you, you, The O'Mulligan, defended them, no wonder therefore that the patriots are where they are."

When the O'Mulligan appears in the House, he will perhaps have to tender some apology for the discreditable artifices which he had practised to get in there, but the best excuses or justification which he can offer for these is, first, that he has been successful, and next that he is an Irish barrister. The combination of these qualifications will in the eyes of the ministry be an excuse for almost any degree of vulgar extravagance. We can imagine a learned gentleman entering parliament after having managed, say, to rescue the representation of a great county from the hold of a rebellious mob, damaged perchance in some degree in his own person by the necessary wear and tear of the plebeian contest—by the rough ordeal of buffoonery through which he has had to pass—and we can imagine that in consequence of, or rather in deference to, English opinion, the sensitive Mr. Gladstone, the prudish Irish Secretary, even the decorous Mr. Fortescue, may have to look grave for a session or two, and keep their eyes averted from him in dignified reserve—

"Tantaene animis cœlestibus irae." —

but we can also understand how time, the peacemaker, will do his kindly office for the delinquent Irishman in the end ; and the O'Mulligan need never despair of seeing these severe official visages in due time relax into smiles

and welcome. The substantial services which in a critical time he had rendered will be counted for him with interest; the sins which he committed on the hustings or on the platform shall be condoned or gradually forgotten, and the O'Mulligan will blossom out in due season a staunch government man. He will electroplate his native brogue with an English accent of the newest pattern, and stand forth—heir presumptive or apparent to the solicitor-generalship—a judge in petto—chief-justice perhaps—lord chancellor not impossibly; for according to the judicial standard which prevails at the Irish bar in modern times, any advancement is possible to professional mediocrity.

The recent proclamation which has put the fierce Westmeath Act in operation, affords an apt and startling illustration of the manner in which Governmental functions are usurped in Ireland by the legal brotherhood. This proclamation purports to issue from the Lord Lieutenant and the Privy Council. It is headed in the usual form—

“Spencer.

“Whereas by Part I of the ‘Protection of Life and Property in certain parts of Ireland Act, 1871,’ ” &c., &c. [*In conclusion the document is signed by the Privy Council, that is, by four lawyers who are put forward as representing that body, viz.,*]

“Now we, the Lord Lieutenant General and General Governor of Ireland, by and with the advice of the Privy Council of Ireland, do direct and declare,” &c.

“Signed—FREDERICK SHAW,

J. D. FITZGERALD,

EDWARD SULLIVAN, M. R.

CHARLES R. BARRY, A. G.”

This is a measure only next in severity to martial law—an Act superseding the Constitution and abrogating personal liberty—yet it is inflicted on the country by the mere command of a group of lawyers. These official gentlemen represent the Privy Council. In truth the Privy Council itself is for every practical purpose composed exclusively of members of the paramount profession. Here, for instance, is notice of a recent assemblage of that body taken at random from one of the daily papers—

“A meeting of the Privy Council was held yesterday in the Council Chamber,

Dublin Castle. There were present : His Excellency, the Master of the Rolls, the Right Hon. Frederick Shaw, Bart., the Right Hon. the Lord Chief Justice of the Common Pleas, the Right Hon. Sir Joseph Napier, Bart., the Right Hon. Mr. Justice Fitzgerald, the Right Hon. Mr. Justice George, the Right Hon. the Attorney General."

Lawyers every one ! However, even from the ranks of the bar the Government might have selected fresher names than the above quartette to attach to the Westmeath Act, names which enjoy a lesser degree of notoriety, and which in popular judgment would not look so cuttingly appropriate when affixed to a mischievous instrument of vice-regal tyranny.

Three of these four gentlemen happen to have occupied prominent positions in the treason-felony trials of recent years. The one as a Special Commission Judge ; another as the persistent challenger of Catholics on jury panels ; and the third not only as the keen Crown-prosecutor of his former brethréen the Nationalists but as the glib reviler of his countrymen likewise. This last signatory to the Westmeath proclamation, the present Attorney-General, is indeed the most remarkable personage of the group. He first appeared in public life as an extreme patriot, and as a thorough Nationalist* triumphantly entered Parliament on the shoulders of the people. In other words, he first obtained his seat in the House by coquetting with the Fenian vote, and lost it afterwards through the hostility of the same interest, when he sought in practice to combine his aspirations as a Nationalist with his instincts as a Crown-prosecutor. Popular vengeance reached him immediately then, and notwithstanding his Attorney-Generalship he still continues to sigh in vain for the opportunities of parliamentary life — to wear the crown of martyrdom which the Dungarvan defeat has fixed upon his brow. His ex-

* In the reports of Mr. Barry's speeches on the occasion of his first Dungarvan candidature, we find that he told the electors "he had sucked in Nationality with his mother's milk, and had been rocked to sleep in his cradle lulled by the music of Moore's Melodies."

pulsion from the House remains a permanent triumph to the Nationalists. By thrusting a prominent delinquent from the ranks of the representation, they exhibited their strength, and by continuing to keep the Irish Attorney-General in limbo — promenading in a middle state of purgatorial existence, session after session, on the lobby of the House, like the Peri of the poet, casting longing eyes through the half-open portals of the forbidden Paradise — they exhibit a visible evidence of their influence.

Yet from the narrow professional point of view, Mr. Barry has some ground for complaining of harsh treatment at the hands of the revengeful Nationalists. After all, he was no worse than others of his calling. He merely fell into the working of a system which lay ready made for him to use. Many a backslider equally flagrant has had his offences quietly condoned by public opinion long ago. At this moment there sits quite an array of ermined Nationalists at the Four Courts by the Liffey's shore—of learned Lordships now converted from the errors of their early ways, but who at one time had worn patriotic breast-pins, and sported green scarfs, and sang Moore's Melodies to electoral assemblies, as unblushingly as ever did the Attorney-General or any of his modern brethren in law. There is a line in one of those famous lyrics —

“Unhonored her sons till they learn to betray”—

of which many an actual ornament of the Irish Bench, in his own person evidences the truth of. All agitations within memory, from Repeal down through the ranks of Young Irelandism, Phœnixism, Fenianism, have supplied a uniform contingent of professional agitators and artificial patriots to the Irish Bench. From Mr. Justice Keogh whose startling Westmeath speeches of twenty years ago are still well remembered, down to the most recent elevation to the seals and a peerage—Lord O'Hagan of Tullahogue—they have been all alike. The Lord Chancellor's distinguished case is, however, in one sense peculiar. It is

notorious that his lordship entered politics as a Nationalist, as a distinct Federalist. He was the friend of Mr. Duffy, of Mr. John Mitchel the present exile, of Mr. John Martin the present member for Meath, and of all the leading '48 men. Later at the Bar, he became first famous as the noisy defender of the persons implicated in the pre-Fenian Phoenixite conspiracy : yet he managed nevertheless to pick his steps so cleverly through the mire of Irish patriotism as scarcely to have moulted a feather from his fair fame, while less circumspect, and also less successful adventurers have, in traversing the same route, shed every quill from the plumage of reputation.

However, in the new born earnestness of the latter-day Irish movements, barristers are not having things quite so much their own way as usual with the constituencies. Not a few of the body have fared ill in recent election experiments, although assisted in the details of a canvass by what was formerly considered as overwhelming clerical support ; and coupled with the modern revolutionary cry of "no priest in politics" has come the more alarming one of "no barrister-patriots in politics" either. This is the more remarkable as the litigious character of the Irish people, together with their fondness for oratory, gives them rather a natural inclination towards the profession of the law and its professors. Notwithstanding its political degradation, the native bar was almost a national boast. Its traditions are still referred to with pride. Some of its members have in other times been the most gifted and illustrious men that the country has produced, and it is worthy of note that in the last remarkable case of the expulsion of a leading law officer from an Irish borough, the rival who drove him from the field was not only a stranger and an Englishman, but also a barrister, a member of the English bar.

But the people have at length learned that the loud-professing lawyer of the nomination platform, invariably changes his nature the moment he lights on an opportunity of doing so with impunity and profit ; that from the quasi-

rebel camp he not only shifts to the side of vice-regal law and order, but like other converts he often becomes the acrimonious persecutor of the party which he has forsaken: that he not only becomes a supporter of the law established, but even hunts down the people as the leading blood-hound of that law, once he feels the silver collar of office fastened about his neck. Being of mongrel strain, he has, like all cross-breeds, a gift of energetic malice which delights in whetting its fangs upon the very class from which he derives—which had first promoted his advancement.

This has at length scandalized even the lax public opinion of Ireland. It is as if a sheep-dog which had been running with the rest of the flock, recognized as one of its guardians, treated as one of its members, were to change at once into a wolf, and turn upon the fleecy companions of its youth. Irish opinion has at last gathered something from experience, is beginning to cry out, "Ware wolf!" and is especially suspicious of that variety of wolf which roves about in sheep's clothing—in a wig and gown on circuit, and in black silk tights at the Castle levees.

In a country subject to periodical spurts of semi-determined rebellion—where an atmosphere of latent treason penetrates the lungs of every inhabitant—opportunities abound for a man of this type to practise his vocation. There is always a popular party to be cajoled and betrayed, and a governing clique with which the cajolery or betrayal counts for excellent service. There are always state prosecutions of some sort going on; and as political prosecutions without convictions mean failure and defeat, an average supply of "Crown verdicts" must be secured in order to support the prestige and authority of the law. In plain language, victims are wanted with which to counterpoise or paralyze the irrepressible machinations of indigenous treason-mongers; and as victims can only be obtained with any business-like certainty by packing jury boxes, juries must be packed. Under certain phases of a Governmental diffi-

culty, juries have invariably been packed. In his apology for being compelled to yield Catholic Emancipation, Sir Robert Peel makes the following important admission upon this subject :*

“ If there were seditious libels to be punished or illegal confederacies dangerous to the public peace to be suppressed, the offenders could be only corrected and checked through the intervention of an Irish jury, little disposed, if *fairly selected*, to defer in the time of political excitement to the authority of English opinion.”

The inference drawn from the condition of being *fairly selected*, is a startling one, when we consider the high authority who speaks. It suggests that within the knowledge of Sir Robert Peel different methods of obtaining convictions had been experimented upon. But in addition to a well organized jury-box, it is necessary that testimony of an apparently clear and independent character shall be forthcoming. Therefore, witnesses must be suborned ; and, as a barrister who connives at the manipulation of a panel or the coaching of a witness is for ever a marked man among his people, subservient barristers of damaged political character must be purchased or provided for. Here we have at once the entire mechanism of the Crown establishment for securing verdicts, as thoroughly exemplified in the late Fenian prosecutions as in any previous dark passage of Irish judicial history. Complaisant jurymen, spies, informers, and Crown prosecutors—truly history repeats itself.

No apology is necessary for having confounded these different functionaries in one odious confraternity or co-partnership ; for though their personal characters may be widely different, still they are often engaged equally in the same doubtful business, and are universally surveyed by the populace with indiscriminating suspicion and distrust. Nor is this inexcusable when a learned and honorable gentleman appears in a public court as the acrimonious and vindictive prosecutor of a batch of deluded political pri-

* Peel Memoirs.

soners—victims who stand arraigned for ignorantly attempting to carry out in practice those national sentiments which recently, upon the hustings, the gentleman himself professed. Bystanders cannot always be expected to discriminate with nicety, or decide with clearness, as to the personal merits of the different actors engaged in the performance of a political trial. What wonder if the gentleman and the reprobate are often confounded in the popular judgment, as merely component parts of the Castle arrangement for obtaining political convictions; if an uneducated spectator should be unable to recognise any essential difference between the vulgar spy and informer—the professional swearer who flippantly delivers his garbled testimony in the witness chair, and the learned friend and honorable gentleman, but *ci-devant* patriot, who is so deftly putting him through his paces.

Such exhibitions serve but to intensify the lesson and impress it deeper upon the popular mind. In every case the upward progress of the political barrister is the same. The fiery patriot of the platform subsides with unerring regularity into the placid placeman in a wig and gown. “Of such stuff are our heroes made.” No wonder if the nation has at last grown sick of such stuff, and of such heroes, and of the venal brigade to which they belong. “What! the country has grown tired of returning us to parliament,” a gentleman lately exclaimed in the hall of the Four Courts, “then is doomsday near. If we can’t get into the House, Government must disestablish the Bench—the judgeships will be abolished—and after that the deluge.” In this sentence is contained the entire of the law and the prophets; it is an explanation of the Irish judicial structure. If the electors once for all refuse to elect lawyers to Parliament, then the well-padded places by which lawyers are silenced and rewarded must disappear one by one, and the judgeships, the pleasant chairmanships and commissionerships are doomed.

It is not, however, probable that any cabinet will of its

own motion incline to lay a sacrilegious hand on the ark of the Irish law establishment, unless coerced by a strong pressure of opinion from without. Even the most cheese-paring administration must pause before meddling with an institution which has often been found a convenient abuse by the authorities at the Castle and the Irish office. No cultivated Irishman requires to be told that an Irish judge is not a judicial necessity. No Irish judge feels that he has been raised to that dignified position merely to perform the presidential duties of a necessary court—

“Deus nobis hæc otia fecit,”

as somebody once chalked underneath the royal arms over the portal of the Temple of Themis in Dublin. The court of the Irish judge is often closed for days even at the busiest period of the year. Few are the suitors there ; and in order decently to extenuate its meagre business over the surface of a term, pleaders as a rule have to resort to needless elaborations of evidence and to tiresome oratorical exercises. But even such devices are often unavailing, and the affable judge who sits at eleven is obliged to rise at one, or to have a holiday or an attack of lumbago alternately, so as to leave some business lie over for to-morrow's performance, and so manage to dangle through the interval of the term, to the absolute repose of vacation, something in the frame of mind of Boileau's bishop—

*“C'est là que le prélat muni d'un déjeûner,
Dormant d'un léger somme, attendait le diner.”*

Cases which in Westminster Hall would be disposed of in twenty-four hours, will extend for a fortnight in Dublin, to the exhaustion of long suffering jurors and despair of attendant witnesses ; and when through a death or resignation one of the courts becomes vacant, the vacancy is kept open quite as long as even Irish public opinion will stand. For example, the last vacancy in the Rolls Court was treated in this manner. The Mastership of the Rolls became vacant in October, 1869, and no appointment was made until

January, 1870. Simply, the office was left in abeyance through the entire of the ensuing (Michaelmas) Term, which commenced on 2nd November and ended on the 25th; and even on through the greater part of the following Term (Hilary), which opened in January, 1870. It was far on in January before the new Master decided on supplying the break in the judicial system, by stepping into the pleasant sinecure of the Rolls, with its salary of four thousand pounds.

The suffering public attempted to raise its feeble voice in expostulation at this tardiness; but that portion of the public having *bona fide* business in an Irish law court is so very insignificant, that its outcry made but little noise.

It is not, however, for mere legal arrangements that gaps in the judicial chain are sometimes allowed to remain open for an unreasonable time. When a gentleman is promoted from the House of Commons to the Bench, of necessity his parliamentary seat becomes vacant, and it is not a new practice at the Castle to defer nominating the Judge until another of its legal adherents has had time and opportunities to look after the seat which the elevation to the Bench must create. Hence the prolonged period of delay at which it sometimes connives.

The Government is ever in want of some subservient constituency, some manageable seat, to which at a moment's notice it can nominate one of its political servants who may have been discharged from parliament through the vigour of the popular vote. It is rarely without some specimens of an unfortunate class of public men to provide for, who for some reason have fallen in popular esteem. A converted patriot it may be, who has either recanted openly, or else come in for the vengeance of his constituents by a flagrant modification of the creed which he had first professed upon the hustings. In the field of Irish politics there is always some eminent public sinner of this class whom the popular force has excluded from parliament, and whom the Government, for that special reason, is resolved

to bring in there again. The Fenian agitations furnished some remarkable examples of this kind of constitutional warfare ; and it is notorious that the Fenian Brotherhood, notwithstanding the efforts of the Executive, have managed to exclude more than one eminent and learned personage from the opportunities of a parliamentary career.

To return to the subject of the Judges. It is easy in a general way to stigmatise the Irish Bench as being in a measure composed of political renegades of one or other complexion. But is it credible that an English Minister would promote to the judgment seat, men whose chief claim to preferment was a plain deficiency in political principle and in public character? Such an immoral system of promotion would manifestly be most unwise, and must tend to bring the judicial office into contempt, in a country where it is above all desirable that the influence of the Bench should be sustained by everything capable of adding to its prestige and dignity. This is the difficulty which would arise in the mind of the average Englishman. In England a judge should be above suspicion. His public character, both before and after his elevation, should be competent to bear investigation. Yet in England a judge has none of the complex responsibilities which devolve on the Irish official. The answer is, that the Irish people believe the paths to government office are as a rule so impure, that the fact of any one, not to the manner born, being nominated to a high state appointment, amounts *per se* to admission of having been guilty of some political iniquity. Even the Judges of the land are commonly regarded as merely successful speculators, operators in politics, who, less by professional ability and personal merit, than by a doubtful but wide-awake career of intrigue, have succeeded into working themselves into eminence. It would not be difficult to sustain this impression by the evidence of facts—or by what is popularly accepted as the evidence of facts. There are judges perhaps at this moment delivering their customary assize lectures from the bench—lec-

tures replete with wisdom, with morality, with loyalty, yet who had once addressed public assemblages in a very different strain. Can they be so blind as to think that those whose ears receive their present exhortations, will not have memories wakeful enough to carry back to earlier times, when the grave judicial personage of to-day was a platform patriot pandering openly to the appetites of a nomination mob, and quite heedless of the mischief which his unscrupulous eloquence might operate in the minds of a crowd ?

When commenting on a recent libel case, a learned judge (himself a converted patriot) delivered this admirable admonition :

“Men should be careful to see that their shoes have no nails in them, before entering a powder magazine ; and it is the bounden duty of every one who undertakes to lecture the people, first to ascertain what the passions of the people are, whether he be Curate, Parish Priest, Archdeacon, or Bishop.”

Queen's Counsel, Attorney-General, or Judge, he might have added, for there are persons of high legal rank in Ireland who might take this lesson to themselves.

We have said that political offences, if sometimes apparently condoned, are rarely suffered to fade out of mind by the Irish ; and from this retentiveness of memory it follows that less weight is attached to what falls from the lips of a prominent man on a public occasion, than to the received character and personal antecedents of the speaker himself. No need to tell the modern Irish that grapes do not grow upon thorns. A long experience of political deceptions has already impressed them with the truth of that sacred admonition, and about representative men that experience has made them very keen-scented. They can at a glance detect whether it is from a vine or from a dog-briar that they are presented with political fruit. Therefore, the audience in a court of justice, instead of attending to the sermon which may fall from the lips of the presiding judge, will often begin perversely to remember all about the past history of the moralist who preaches. They will revert to the pre-official period of his existence, when perhaps he

was a member of a Sadlier brass-band, or of some kindred ill-famed brotherhood or association. It will be discovered that at the gymnastic epoch of his life, when trying to twist his person upon the bench by the aid of every leverage, that he was ail for Ireland, and her popular cause—her Tenant-Right and her Repeal—that his public language upon past occasions had been reckless and intemperate, but that it did not militate against his promotion or bar his progress to the bench.

If the judge presiding at a political trial be one of this class, the Fenian in the dock will remember that he too had been guilty of the crime of patriotism, and got no penal servitude for it. Or the Fenian informer in the witness-chair may console his evil conscience by imagining that the excellent judge had also committed public perjury in a political cause. It is so hard to define in Ireland when patriotism becomes treason, or even, when established as treason, to say how much of the luxury may be safely indulged in by a patriotic individual upon a particular occasion. Truly one man may steal a horse, while if a another but glance at the hedge, the Royal Irish Constabulary are at once swooping down upon him.

Not long since, at a petty sessions court in the county of Cork, a peasant was arraigned under the Peace Preservation Act for having on his person a collection of what were sworn to be seditious prints, viz. : portraits of Mr. Butt, of Father Lavelle, and of Father Mathew, the apostle of temperance. The culprit was sent under an escort of police to Cork, but ultimately managed to escape penal servitude. On a public occasion the religious educational society of "Christian Brothers," were accused by a person of rank of teaching and fostering sedition, because in their class-book was found Callinan's poem of *Gougane Barra*. That dangerous lyric embodies national sentiments. How if the judge before whom such literary trespassers were accused, happen to be some *ci-devant* nationalist, who perchance "had been lullabyed in his cradle to the music

of Moore's Melodies? or in tender infancy had imbibed the dark spirit of nationality through the tube of his sucking-bottle?" Will not the traversers in the dock recall the circumstance? Will not the recollection of the sucking-bottle impede the force of warnings against the vice of patriotism, or the danger of listening to the indiscreet metaphors of effervescing orators?

Space, however, forbids us to pursue this subject further, and prescribed limits have already been exceeded. Let us observe, in conclusion, that a change has insensibly come over the characteristics of the Irish peasant during the last few years—a change which amongst the humblest classes is most notable. Whether because of cheap travelling, and cheap literature, and diffused education—whether increased material prosperity or the action of the “national schools,” or the influence of the imported American spirit, has done it—or whether the effect is due to a combination of these causes—it is certain that the Irish agriculturist is undergoing a rapidly ripening process, and is at this moment a different being from what he is represented to have been at the past potato period of Irish history. He has become difficult to manipulate either by “patriots” or by statesmen. Devices which have been long in vogue—deceptions which from time immemorial had been successfully practised upon him by political adventurers of every class—are beginning to prove stale, and to fail in their effect. In manners he has grown grave and reserved. He has lost the stooping carriage of the serf, and has become less cringing to his social superiors, less submissive to the unnatural privations and hardships which those superiors too often considered the natural and fitting concomitants of his very existence. One by one he is losing all the characteristics of his ragged forefathers—or more correctly, those which in the English mind were traditionally supposed to belong to them. The capering Paddy of a London music hall is no longer even a sign-post portrait of the dark and taciturn Limerick or Tipperary pea-

sant of modern times. But it is in developed mental faculties that the peasant of to-day greatly differs from his starving forefathers : opportunities of education have been provided and he has availed himself of them. He has learned to read, and devours cheap newspapers by the ton, which, notwithstanding the Peace Preservation Act and the press censorship of the Lord Lieutenant, he obtains without difficulty. It is a luxury which he enjoys and revels in. This "national" literature is perhaps not always a wholesome diet ; it is of a peppery nature, highly spiced, and especially flavoured to catch the singular peculiarities of his palate ; but it is literature nevertheless, and it has assisted in the general diffusion of education—has done its office in raising him in the intellectual scale. At this moment the average Irish agriculturalist is a better read man than his English prototype, and far more capable of forming an opinion for himself on a question of politics.

Politics indeed are his speciality—his forte ; he has been nurtured, reared, in their atmosphere ; he has grown up quite as much a politician as an agriculturist. The stirring questions of the moment, which concern the Empire at large, belong to him in an intimate and personal manner. The Church, the Coercion, and the Land Acts, the Education Bill, the Convents' Commission, the Westmeath Committee, are matters closely interwoven with his own life and interests, and agitations connected with them have forced on and developed his intelligence out of all proportion with the weight and worldly surroundings of the man. He feels placed in a position of grave responsibility—his person is posed in the strongest light—he is the central figure of a most interesting situation. The lease of his farm—the education of his children—are problems which convulse the Empire, which rack the minds of statesmen, which supply leaders in the London papers. His personal belongings—the details of his daily life—fix the attention of English-speaking communities on either side of the Atlantic. On either side of the Channel, he is the darling subject upon

which political quacks love to experimentalize—the readiest opportunity for every notoriety-seeker to try his 'prentice hand upon. Not only professional politicians but honest men also have taken their turn out of him in rotation, and after discovering that neither the operation of the old persecuting penal code, nor the blandishments of modern christianity, nor the pressure of poverty, nor the temptations of missionary soup kitchens, could entice him away from the twin mysteries of Popery and Nationality, have at last, in despair, agreed to let him alone altogether. Christian philanthropists and religious societies who divided with him the self-righteous interest which they display in connection with the spiritual concerns of Kaffirs and the Hottentots, begin also to recognize that they in reality understand as much about the higher wants of the Irish peasantry as the well-disposed old ladies of Exeter Hall do about the African negro, for whose spiritual benefit they lavish not only their christian sympathies, but even their christian ducats.

Not only cockney philanthropists, amateur statesmen, and pious old British ladies, but even illustrious ministers of marked ability, of undoubted genius, are beginning also to perceive that they understand as much of the ways of thought, the national feelings, and strange sympathies of Irishmen, as they do about the politics of Japan. The Irish enigma is becoming more of a puzzle than ever: it seems as if fate forbids that English statesmen shall ever succeed in getting to the bottom of it; and the more they learn the less they appear to know. It is a case where the proverbial danger of a little learning is forcibly exemplified; yet those who drink deeper of the sacred spring are not in an improved condition. It would seem that freer draughts of Irish knowledge intoxicate rather than refresh, and merely add to the intricacies of the subject. For instance; Mr. C. Fortescue, the late Chief-Secretary, when supporting the motion for the "Westmeath Committee," assured the House "he knew Ireland well," and that he

was strengthened in his advocacy of the measure by a profound knowledge of the subject on which he spoke. Yet Lord Hartington, the actual Chief-Secretary, when introducing the same motion, apologized for his absolute ignorance of a country that a *bizarre* fate had handed over to his control. Here is the language in which his Lordship thought fit to express himself when moving for a select and secret committee in the Commons. It will be for ever impossible to accuse him after this of the sin of oratorical artifice.

“I can hardly undertake to describe the feeling of painful dismay with which I undertake the task that is before me, *for in addition to the inexperience and want of acquaintance with Irish affairs which I labour under*, I have to approach that very difficult and painful task which has perplexed English statesmen for many years,” &c.*

Was it Lord Hartington's previous administrative successes as the first head of the Government Telegraphic department that—notwithstanding his confessed inaptitude—made him to be selected as the practical governor of a country which had already perplexed generations of English ministers to rule? We cannot say. But it is plain that the well-informed Mr. Fortescue and the ignorant Lord Hartington stand both on the same level of complacent incapacity with regard to the actual Irish crisis. The Chief Secretary's admission of ignorance when constructing a most dangerous legislative instrument, is in this case equivalent to urging unacquaintance with the nature of gunpowder as a qualification for manufacturing a bomb-shell. Yet having relieved his conscience by the confession of incompetency, and to some extent disarmed criticism by such exceeding candour, the Chief Secretary goes into a justification of the extreme severity of the proposed measure. The Peace Preservation Act he explains had not proved stringent enough. It was found that the majority of those persons who had been arrested under its powers for being out at night, were able to show that they had the

* Vide *The Daily News* of 28th February, Lord Hartington's Speech.

excuse of lawful business for being out and so could not be meddled with.

“The police have arrested numerous persons under the provisions of the act of last year, for being out at night under suspicious circumstances, but in very few instances have the magistrates been able to inflict a penalty, for the men arrested have always been provided *with a reasonable and lawful excuse* for being where they were found.”*

Therefore the “Life and Property Act” must be passed, in order to prevent the unhappy peasants who may have lawful business, from showing that they have such an excuse for being abroad after dark. Truly the logic of Lord Hartington seems to be on a par with his discretion; and both on a par with his knowledge of those intricate Irish affairs which he has undertaken to administer. We know not if his acquaintance with Irish history is of equal depth, or whether he ever heard of his predecessors in Dublin Castle—their Lordships Castlereagh and Cornwallis. Even these notorious conciliators never ventured to press for fresh coercive measures, on the ground that those already in existence were so lax as not to interfere with the liberties of innocent people out upon their lawful business.

It should not be matter of surprise that innocent people are already hurrying fast out of the doomed county of Westmeath. It would be well if that were all; but notwithstanding “remedial measures,” innocent people are also hurrying out of the country, at a rate which bids fair to exceed all previous statistics of emigration. The “two years’” policy of the Cabinet has certainly not opposed the least check to emigration. Indeed, none of the great liberal measures have had the effect which English opinion fairly expected of them. From the legislative point of view they have been all unsuccessful.

The Church Act has generated no fresh warmth of loyalty to the Crown on the part of even the Roman Ca-

* Lord Hartington’s Speech, 28th February.

tholics, while it has apparently alienated many sections of Protestants.

The Land Act has been especially protested against by the very class for whose presumed benefit it was created ; and the Farmers' Clubs of the southern provinces have been clamorous in pronouncing it a failure.

The Peace Preservation Act has merely diffused a deep feeling of animosity amongst certain classes of the population, and as a preventive of agrarian crime has been already condemned by the very act of the Cabinet itself. The fact of supplementing its severity by the last terrible instrument which parliament has placed in the hands of the Irish Executive, is commentary sufficient upon its efficacy.

We shall watch with anxiety the operation of this new "Life and Property Act," and are filled with foreboding as to its effect. Judging by the past, it will, we fear, but precipitate the crisis of evil.

It is plain, however, that according to English evidence, and from the English point of view, the policy of pseudo-conciliation has worked none of the anticipated wonders in Ireland. It has been heralded by revivals of Fenianism—by daring importations of arms—by fresh outbursts of fearful agrarian homicide. No wonder that the conjurors in Downing-street are aghast. The potent spell which, under the wand of the Liberal 'Prospero,' was to operate miracles in the enchanted island, to lay the traditional phantoms of bloodshed and insurrection, seems to have worked awry—instead of inviting peace, to have wrought fresh confusion, and given renewed stimulus to all sorts of wakeful devilries.

As a matter of fact, notwithstanding the release of the Fenians, and the douce governmental attitude of certain venerable personages, there prevails a more active form of dislike to the English connection now than existed before the Church Act was dreamt of, or Fenianism had exploded, or Mr. Gladstone first began to feel his conscience oppressed by the influence and suggestions of his peculiar "Irish ideas."

But, precisely because these important legislative experiments, though moderately well-intentioned, have yet proved abortive, is the instruction which they convey of value. Plainly there must be a recasting—another reconstruction of policy—in making further attempts at successful Irish legislation. The problem is, for an English minister to wind into that Rosamond's bower the confidence of the Irish nation ; and it is evident that neither Mr. Gladstone, nor Mr. Fortescue, nor even Lord Hartington, has yet struck upon the thread of the labyrinth. Irish sympathies remain still frozen up. The popular party still maintains its stand-off insurrectionary attitude, and refuses to unbend at ministerial or official overtures. Irish grievances still crop up as fresh as ever. Irish complaints are not stifled. In fine, the Irish difficulty stands out in the midsummer of the year 1871—broad, bony, incomprehensible, ugly, unmanageable, as ever.

It is plain that if "the Cabinet" has not already made a mess of its work of regeneration, it is fast running into confusion about it, and that order will not be reëstablished, unless the country to be regenerated takes a share of responsible work on its own shoulders. All the sins or mistakes of modern times are not to be laid at the door of the Government only, and if Irish nationalists ever intend that their grievances shall be comprehended by the Imperial parliament, they must send gentlemen to it who shall be more competent to make these clear to Englishmen than is the average array of Irish representatives. Englishmen may be fairly excused for not coinciding with views which they honestly do not understand ; and if they ever are to understand them, the Irish will have to make *main basse*, upon their representatives. It is not too much to say that if our parliamentary representation be not radically remodelled, it would be better for Irish interests that it were abolished altogether. We do not say this with special reference to the vicious lawyer element, which has most of all contributed to degrade the political character of

the Irish member of parliament; for it is likely that notwithstanding its actual influence, the legal faction will be in a great degree eliminated from the parliamentary returns of the future. The profession has pretty nigh over-farmed the various constituencies. Too many exhaustive crops have been raised in succession from the same prolific patriotic sod, so that now the well-tilled electioneering fields are lawyer-sick, and will scarcely afford a soil into which sapplings of the legal species may strike steadfast root at all. For the future, all lawyers will probably be warned off those platforms where the popular party musters in any force. They will be swept into out-of-the-way corners of insignificant pocket boroughs, which are the mere property of a nominator or of "the Castle." But, if the lawyer be abolished—if the barristerial weed be rooted out and cast aside, the puzzle will be to find out a wholesome vegetable with which to stock the land and supply its place. The average ex-professional member, as he actually stands this moment, is not a wholesome vegetable. It would scarcely mend matters merely to lop off the long-robed abuse, and supply the vacancy by adding to the heterogeneous array which now crosses the channel to advocate the perplexing case and complex wants of the "sister-island." Individual exceptions exist; but a few exceptions apart, it is in truth but a poor muster-roll, that of the Irish membership.

Ever since the corruption of "the Union" entered into his soul, the Irish member has dwindled in intellectual standard, in capacity, in political character, with a measured regularity of descent. Never has he stood before the world—never, since he entered the Imperial Parliament, has he stood before the world—in an attitude of greater humiliation than at this critical period of his country's history. We write this in no flippant spirit, but soberly and with regret. Where, for instance, was the Irish member when the victory of the Church Act was achieved? Was his influence appreciably felt when that "great measure of justice and of prudence" was conceded? What individual of the Irish representa-

tion, or what group of individuals chosen from its ranks, came forth with strength upon that occasion—their own especial one? What leader of stature made his genius felt upon a subject so well fitted to bring out the best of a foremost man? Who was it impressed the House of Commons, invaded the anti-Papal and anti-Celtic prejudices of English squires, or, inspired by patriotism and a great theme—inflamed with genuine fire, awakened by his eloquence an irresistible response in the cold breasts of an English Protestant auditory? Who can say that the Irish vote was even a recognised force in winning that measure of justice and of common sense which was first devised and introduced by Englishmen only—was prosecuted in detail from an English liberal point of view, that is, for Protestant dissenting ends?

If there had not been an Irish member in the House, the Church Act would equally have been brought forward, and if no Irishman had given a vote or made a speech in its favour, it would have passed into law with the same rapidity. English opinion was ripe for its reception, and it did pass into law without having invented in its progress a single Irish representative who made an exhibition of ability, or even of earnestness worthy of the occasion. No man of genius appeared upon the scene. Setting genius apart, no valorous mediocrity even was found to come forward with the Irish standard at so momentous a crisis. Strange, that for national honor sake, somebody did not exhibit daring at least, if nobody had anything better than manliness to show—that some individual of the race did not struggle to the front, and not leave it to be said that the great Catholic and Irish victory of the century was won by the energy of Englishmen, and by the eloquence of Protestants.

Upon the next distinctive measure—the Land Act—there certainly was a manifestation of the Irish influence, of earnestness, of genuine determination, and of apparent patriotism; but perversely these respectable forces assumed

an adverse attitude, and were arrayed in hostile opposition to the scheme. The nationalist members disapproved of Mr. Gladstone's measure, and if the "Irish vote" had been competent to have its way, the Land Bill would have perished. The amnesty petition was first refused, in direct contempt of the opinion of the Irish members, and then acceded to without consulting them at all. The Convent Commission, Peace Preservation Act, and Westmeath Committee, were severally passed by government in the same Anglo-dominant spirit.

The generic Irish representative has lost prestige and influence. Would it not be as well if he were to lose his identity also?—if he were to withdraw from the parliamentary stage altogether, and in this age of disestablishments, agree to abolish himself, rather than consent to remain the abject, insignificant thing, which, under the action of circumstances, he has become. He derives of a famous parliamentary stock, and owes it to his illustrious descent to do something worthy of his great ancestry, or else abdicate the position of being their accredited representative. He fills an office suggestive of the most distinguished legislative endowments—a name which has always been associated with culture, forensic ability, and genuine eloquence—often with political earnestness, self-devotion, and patriotism. If he but reflects, a rush of inspiring memories flood in upon his senses; illustrious names lighten before his fancy. No wonder if his pulse should quicken with the pride of race. Let him have any knowledge of the representative public men which his own country has produced, and if he does not feel an honest blush at the intellectual mediocrity and torpid action which characterises the mass of his parliamentary brethren, 'tis because he has lost the faculty of shame for a political disgrace. Then he will not understand that his actual position should be as intolerable to himself as it is already in the eyes of the world discreditable.

At no period of parliamentary history did he stand in so

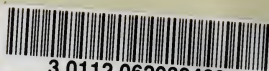
mean a plight as at this moment. Even at the "independent opposition" time he remained a power; he worked under discipline, formed part of a compact body, so that the pressure of his influence was often a subject of ministerial calculation, and was dreaded at the crisis of a tight division—at least it was so until the Keoghs and Sadleirs came upon the scene, and with their intrigues to demoralize and destroy the famous "Brass Band," poisoned the public conscience.

Since then the Irish member has lost all identity. He has ceased to have a party. He is no longer a power either for good or evil. When not in a position of impotent opposition, he usually declines to the lowest state of the Government menial, and like all worn-out serving men, is finding it every day harder to obtain any sort of hire from his employers; for he does not stand in good repute, and his appearance about the House is not considered desirable; he confers no credit on the establishment. He is really not wanted in the House of Commons, and consequently he stifles in its atmosphere. He feels himself to be an interloper, and the *English accent there* is too much for him. If upon occasions he ventures to intrude upon great debates connected with the interests of his country, he is either listened to with insulting compassion, or often rewarded by the opposition or jealous sneers of his kindred representatives.

Let us hope, as the present Government has a vocation for affording redress to every form of Irish grievance, that it will not pass by this pressing one. Let us hope that when the ghost of the land question shall be finally laid, and the condition of the peasant so improved that the benevolent genius of philanthropic statesmen can not provide or invent anything further to his advantage, when the incessant Celtic wail shall be heard no more, and in Mr. Bright's sounding phrase, "under the operation of just laws, justly administered," the Meath ribbonman shall be metamorphosed into a contented British yeoman, with

strong English attachments—when the blunderbuss shall have become obsolete in the Golden Vale, and the typical land agent have disappeared—when the barrister shall be content to mind his business merely like other professional men, and give up forming constituencies—when the embers of rebellion shall be finally dispersed, and Americanism shall no longer allure, nor Fenianism invite—when, at the close of the pantomime, the curtain of national prosperity shall descend upon the Fenian and the Orangeman locked in a mutual embrace—then perhaps ministers and constituencies likewise will combine to do something for that political outcast, the average Irish Member of Parliament. If not a most deserving, he stands in his actual plight a pitiable, object of charity, and if merely on the plea of humanity, petitions for the succour of a compassionate hand.





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